

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,)

Plaintiff,)

VS.)

Case No. 21-CR-30037-DWD

DEARRIS D. GUTHRIE,)

Defendant.)

PRELIMINARY ORDER OF FORFEITURE

DUGAN, District Judge:

In the Indictment filed in the above cause on March 16, 2021, the United States of America sought forfeiture of property of Defendant Dearris D. Guthrie pursuant to 18 U.S.C. § 924(d) (Doc. 1). Guthrie pleaded guilty on October 27, 2021 (Doc. 40), and, upon consideration of the guilty plea, the Court **FINDS forfeitable and ORDERS forfeited** the following property:

a Ruger LCP, .380 semi-automatic firearm bearing serial number 380081921, and any and all ammunition contained therein.

The United States, under the authority of 21 U.S.C. § 853(n)(1), shall “publish notice of the order and of its intent to dispose of the property in such matter as the Attorney General may direct,” to provide notice of the forfeiture and of the right of persons other than the defendant who have any claim or legal interest in any of the property to file a petition with the Court. The notice shall be provided in a manner consistent with Supplemental Rule G(4)(a) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

The notice shall state that the petition shall: be set for a hearing to adjudicate the validity of the petitioner's alleged interest in the property; be signed by the petitioner under penalty of perjury; and set forth the nature and extent of the petitioner's right, title, or interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought.

The United States shall, also to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Order for Forfeiture, as the substitute for the published notice to those persons so notified. Upon the filing of a petition alleging third-party interests in the property, the Court may amend this Order to resolve the claimed third-party interests.

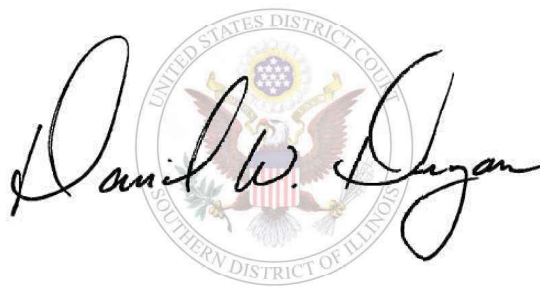
The United States Marshals shall seize and reduce to his possession, if he has not already done so, the above-described property.

This Order, pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, shall become final with respect to Defendant Dearris D. Guthrie at the time of Defendant's sentencing, regardless of whether or not the rights of actual or potential third-party petitioners have been determined by that time. This Order shall be made part of the sentence of Defendant Dearris D. Guthrie and shall be included in the Judgment imposed against the Defendant. *See* FED. R. CRIM. P. 32.2(b)(4). Although this Order will be final with respect to the Defendant at the time of sentencing, it may be amended with respect to petitions filed by third-parties claiming an interest in the subject-matter forfeited property.

The United States may abandon forfeiture of the property by filing notice of the abandonment with the Court.

SO ORDERED.

Dated: December 7, 2021

The image shows a handwritten signature in black ink that reads "David W. Dugan". The signature is written over a circular official seal. The seal features an eagle with spread wings, holding an olive branch and arrows, with a shield on its chest. The text "UNITED STATES DISTRICT COURT" is at the top and "SOUTHERN DISTRICT OF ILLINOIS" is at the bottom of the seal.

DAVID W. DUGAN
United States District Judge